

DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

CENOBIA PEREZ,	)	
	)	
	)	
Plaintiff,	)	Civil. No. 2017-59
	)	
v.	)	
	)	
KMART CORPORATION D/B/A KMART,	)	
	)	
Defendant.	)	
_____	)	

**Appearances:**

**Ryan W. Greene**  
St. Thomas, U.S.V.I.  
*For Cenobia Perez,*

**Richard F. Farrelly**  
Law Offices of Birch DeJongh & Hindels PLLC  
St. Thomas, U.S.V.I.  
*For Kmart Corporation.*

**ORDER**

**GÓMEZ, J.**

The Court has been informed that Sears Holdings Corporation ("Sears") has filed a voluntary petition under Chapter 11 of the Bankruptcy Code. Pursuant to 11 U.S.C. § 362, Sears's bankruptcy petition automatically stays all judicial proceedings against Sears and its debtor affiliates. Kmart Corporation is listed as

a debtor affiliate in Sears's Chapter 11 petition. See ECF No. 27 Ex. A at 5.

The premises considered, it is hereby

**ORDERED** that the Clerk of the Court shall designate this action as a suspense matter; it is further

**ORDERED** that this matter shall be removed from the active trial docket; it is further

**ORDERED** that this matter shall be included in the Civil Suspense Docket; it is further

**ORDERED** that on November 1, 2019, and on the 1st day of every month thereafter, the parties shall apprise the Court of the status of the bankruptcy proceedings; it is further

**ORDERED** that the case be restored to the trial docket when the action is in a status so that it may proceed to final disposition; and it is further

**ORDERED** that this order shall not prejudice the rights of the parties to this litigation.

S\ \_\_\_\_\_  
**Curtis V. Gómez**  
**District Judge**